

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:

10/601,259

Applicant:

James R. Lawter June 20, 2003

Filed: Title:

RAPID RELEASE TETRACYLINE FORMULATIONS FOR TREATING OR

PREVENTING MUCOSITIS

TC/A.U.:

1615

Examiner:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. Copies of each of the listed references are also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

STATEMENT

The undersigned hereby states that

	\boxtimes	each item of information disclosed in the Information Disclosure Statement was
first cite	d in a	ny communication from a foreign patent office in a counterpart foreign applicatior
not mor	e thar	three months prior to the filing of the Information Disclosure Statement.

no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the Information Disclosure Statement.

Respectfully submitted,

Kevin R. Casey, Reg. No. 32,117 Robert L. Andersen, 25,771 Attorneysfor Applicant

RLA/pb

Enclosures: PTO Form 1449

(4) References Search Report Transmittal Form

Dated: January 15, 2004

P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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(AW 08/03)



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1of 2

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Application Number	10/601,259	•		
Filing Date	June 20, 2003			
First Named Inventor	James R. Lawter			
Art Unit	1615			
Examiner Name				
Attorney Docket No.	ORA5003USANP(J&JO-104US)		Ĵ	

			U.S. PATENT D	OCUMENTS	
Frankas	Cite No.1	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
Examiner Initials*		Number - Kind Code ^{2 (if known)}			
		US-6,488,961	12/3/02	Robinson et al.	
		US-2002/0061894	5/23/02	Young et al.	
		US-2002/0068084	6/6/02	Staniforth	
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Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (If known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
Examiner Signature				Date Considered		

FOREIGN PATENT DOCUMENTS

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. ¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

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The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND T: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(AW 08/03)



SHEET 2of 2

Substitute for Form 1449B/PTO

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(Use as many sheets as necessary)

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Art Unit	1615		
Examiner Name			
Attorney Docket No.	ORA5003USANP(J&JO-104US)		

NON-PATENT LITERATURE DOCUMENTS				
Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T		
1.	J. HICKS, Mouth Sores: Causes, Treatments, and Potential New Treatments, The Cure Our Children Foundation, April 27, 2003, pp. 1-16			
2.	International Search Report December 18, 2003			
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	No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published 1. J. HICKS, Mouth Sores: Causes, Treatments, and Potential New Treatments, The Cure Our Children Foundation, April 27, 2003, pp. 1-16 2. International Search Report December 18, 2003		

Examiner	Date	
Signature	Considered	

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1 Applicant's unique citation designation number (optional).

2 Applicant is to place a check mark here if English language translation is attached.

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